

Court of Appeals, State of Michigan

ORDER

People of MI v Timothy Manning

Docket No. 290602

LC No. 2008-000441-FH

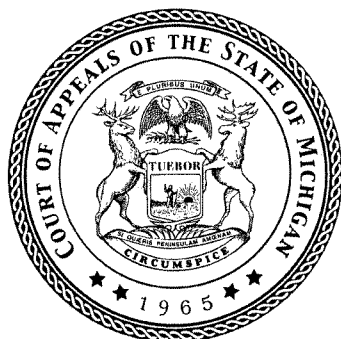
Stephen L. Borrello
Presiding Judge

Peter D. O'Connell

Alton T. Davis
Judges

In lieu of granting the delayed application for leave to appeal, the Court orders that defendant's sentence is VACATED and this matter is REMANDED for resentencing in accordance with the one-year minimum sentence recommendation and the requirements of *People v Killebrew*, 416 Mich 189, 209-210 (1982). In all other respects, the application for leave to appeal is DENIED.

We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 26 2009

Date

Sandra Schultz Mengel
Chief Clerk